

B1 sequence, SEQ ID NO:9), SEQ ID NOs:39, 40, 41 and 42, (encoded by SEQ ID NOs:55, 56, 57 and 58, respectively) largely retain bone stimulatory activity.

On page 5, delete the 2<sup>nd</sup> full paragraph, and replace this paragraph with the following in accordance with 37 CFR § 1.121. A marked up version showing changes is attached:

B2 A polypeptide in which the ninth amino acid, cysteine, has been replaced by tyrosine (SEQ ID NO:43, coding SEQ ID NO:59) was found to have some bone stimulatory activity.

On page 5, delete the 3<sup>rd</sup> full paragraph, and replace this paragraph with the following in accordance with 37 CFR § 1.121. A marked up version showing changes is attached:

B3 A polypeptide in which the third amino acid, asparagine, has been replaced by glutamine, the eighth amino acid, aspartic acid, has been replaced by glutamic acid, and the ninth amino acid, cysteine, has been replaced by alanine (SEQ ID NO:44, coding SEQ ID NO:60) was found to have bone stimulatory activity.

On page 5, delete the 4<sup>th</sup> full paragraph, and replace this paragraph with the following in accordance with 37 CFR § 1.121. A marked up version showing changes is attached:

B4 A polypeptide in which the third amino acid, asparagine, has been replaced by glutamine, the eighth amino acid, aspartic acid, has been replaced by glutamic acid, and the ninth amino acid, cysteine, has been replaced by tyrosine (SEQ ID NO:45, coding SEQ ID NO:61) was found to have bone stimulatory activity.

On page 5, delete the 5<sup>th</sup> full paragraph, and replace this paragraph with the following in accordance with 37 CFR § 1.121. A marked up version showing changes is attached:

B5 A polypeptide in which the third amino acid, asparagine, has been replaced by glutamine, the eighth amino acid, aspartic acid, has been replaced by glutamic acid, and

135 the ninth amino acid, cysteine, has been replaced by serine (SEQ ID NO:46, coding SEQ ID NO:62) was found to have bone stimulatory activity.

On page 5, delete the 7<sup>th</sup> full paragraph, and replace this paragraph with the following in accordance with 37 CFR § 1.121. A marked up version showing changes is attached:

136 In a particular aspect, for example, polypeptides identified as SEQ ID NOs:24, 25, 26, 27, 39, 40, 41, 42, 43, 44, 45 and 46 (corresponding to sequences lacking terminal modification, SEQ ID NOs:9, 28, 29, 30, 47, 48, 49, 50, 51, 52, 53, and 54, respectively) the charge pattern of the compound consists essentially of that provided by the amino acid sequence corresponding to SEQ ID NO:9, that is, it bears side chain charges in the order of and spaced as the amino acid side chains of SEQ ID NO:9 and does not include other amino acids. The invention includes a compound with substitutions of the sequence corresponding to SEQ ID NO:9 which retain bone stimulatory activity in mammals.

#### ELECTION

In response to the restriction requirement set forth in the Office Action mailed December 12, 2000 (the period for response to which has been extended to April 12, 2001 by the attached Petition for three month Extension of Time and appropriate fee), Applicant hereby provisionally elects Group I, Claims 1-23, 35-48, for examination, without traverse.

Applicant reserves the right to file divisional application(s) on non-elected subject matter.

April 11, 2001  
Date

Respectfully submitted,

Stephen B. Maebius  
Stephen B. Maebius  
Reg. No. 35,264

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W. Suite 500  
Washington, DC 20007-5109  
Telephone: (202) 672-5300  
Facsimile: (202) 672-5399